REMARKS

After entry of this amendment, claims 1–12, 14–39, and 41–57 will be pending; claims 1-7, 11-14, 16, 17, 28–34, 38-41, 43, 44, and 57 were elected in response to a restriction requirement. Claims 13 and 40 are hereby cancelled, and claims 1 and 28 are amended. Support for the claim amendments may be found, for example, in the originally filed claims. No new matter has been added.

Rejection of claims under 35 U.S.C. § 102

Claims 28–34, 40, 41, 43, 44 and 57 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Application No. 2002/0001747 to Jenson. Jenson appears to disclose a method and a system for fabricating solid-state energy-storage devices. *See* abstract. Embodiments include a device having an integrated battery and a circuit. The battery may include a plurality of series-connected cells formed by the deposition of layers. *See* paragraphs [0245], [0258], and [0261].

Jenson, does not, however, appear to teach or suggest a structure in which at least a portion of a substrate <u>comprises</u> at least a portion of the solid-state battery, as recited in amended independent claim 28 (that incorporates the limitations recited in cancelled claim 40). Rather, Jenson discloses depositing thin films are deposited <u>over</u> a substrate to define a battery, including the anode and cathode thereof. *See*, *e.g.*, Figures 1B, 1C, 1D, 2B, 2C, and 2D, and related text.

Applicants submit that, for at least this reason, amended independent claim 28, and claims dependent therefrom, are patentable over the cited art.

Rejection of claims under 35 U.S.C. § 103

Claims 1–7, 11–14, 16, 17, 38 and 39 are rejected under 35 U.S.C. 103(a) as being obvious in view of Jenson. The Examiner concedes that Jenson does not teach the overall thickness of the battery, as recited in independent claim 1, or the thicknesses of the anode and cathode layers, as recited in the dependent claims. The Examiner states that the purpose of the battery disclosed by Jensen is to make it as thin as possible because the intended application is integration onto an integrated circuit. The Examiner also relies on U.S. Patent No. 6,758,404 to Ladyansky ("Ladyansky") for teaching that an anode film layer thickness can range from 0.01 – 1 µm.

But neither Jensen nor Ladyansky, alone or in combination, teaches or suggests a structure in which a at least a portion of the substrate <u>comprises</u> at least a portion of the solid-state battery, as recited in amended independent claim 1 (that includes the limitation recited in cancelled claim 13) and independent claim 28. Rather, as noted above, Jensen discloses batteries deposited <u>over</u> a substrate. Ladyansky, too, describes a thin film battery as a battery having <u>all</u> of its components (e.g., cathode, anode, and electrolyte) deposited <u>on</u> a substrate. *See* column 5, lines 38–45.

Applicants submit that, for at least this reason, amended independent claim 1 and 28, and claims dependent therefrom, are patentable over the cited art.

<u>CONCLUSION</u>

In light of the foregoing, Applicants respectfully submit that all claims are now in condition for allowance.

Enclosed are a petition for a three-month extension of time and authorization to charge the extension-of-time fee of $1050 to Deposit Account No. 07-1700. Applicants believe that no other fees are necessitated by the present paper. However, in the event that any additional fees are due, the Commissioner is hereby authorized to charge any such fees to Deposit Account No. 07-1700.

If the Examiner believes that a telephone conversation with Applicants' attorney would expedite allowance of this application, the Examiner is cordially invited to call the undersigned attorney at (617) 570-1806.

Respectfully submitted,

Date: February 7, 2008   Electronic Signature: /Natasha C. Us/
Reg. No. 44,381   Natasha C. Us
                               Attorney for Applicants
                               Goodwin Procter LLP
Tel. No.: (617) 570-1806   Exchange Place
Fax No.: (617) 523-1231   Boston, Massachusetts 02109

LIBC/3147314.1